**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR**

**FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929**

**WP(C).No. 18940 of 2007(D)**

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**PETITIONER:**

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**C.G.MATHEW, INTELLIGENCE INSPECTOR, INTELLIGENCE SQUAD NO.VII, DEPARTMENT OF COMMERCIAL TAXES, KALAMASSERRY, ERNAKULAM.**

**BY ADV. SRI.VIJAYAN. K.U.**
**SRI.K.N.SREEKUMARAN**

**RESPONDENTS:**

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**1. COMMISSIONER OF COMMERCIAL TAXES & CONVENOR OF DPC (LOWER) FOR COMMERCIAL TAXES DEPARTMENT, PUBLIC OFFICE BUILDINGS, VIKAS BHAVAN, THIRUVANANTHAPURAM.**

**2. STATE OF KERALA, REPRESENTED BY THE SECRETARY (TAXES), GOVT.SECRETARIAT, THIRUVANANTHAPURAM.**

**BY GOVERNMENT PLEADER SRI. BIJOY CHANDRAN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

# K.BALAKRISHNAN NAIR, J.

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## W.P.(C) No.18940 of 2007 D

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**Dated this the 6th day of July, 2007.**

## JUDGMENT

The petitioner is an Intelligence Inspector in the Department of Commercial Taxes. This writ petition is filed praying to quash Ext.P4 charge sheet served on him on 2.9.2003.

2. This court cannot quash a charge under Article 226 of the Constitution of India. If the allegations in Ext.P4 are correct, they constitute definitely certain misconduct committed by the petitioner. But, learned counsel for the petitioner submits, because of the pendency of the said charge, he is being repeatedly superseded in the matter of promotion Therefore, the respondents may be directed to complete the proceedings expeditiously.

3. Learned Government Pleader, upon instruction, submitted that by reason of retirement of one of the Inquiry Officers, the delay was occassioned. Another Inquiry Officer is appointed and he is expeditiously proceeding with the enquiry.

3. The 2nd respondent is, therefore, directed to ensure that the enquiry against the petitioner is completed, as

expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this judgment. The petitioner shall co-operate with the Inquiry Officer for completion of the enquiry. On completion of the enquiry, the disciplinary authority will pass final orders without delay.

Writ petition is disposed of as above.

Sd/-

**(K. BALAKRISHNAN NAIR)**

**JUDGE**

sk/

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P.S. To Judge